



EnviroMatters

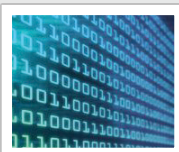
MassDEP's Cutting-Edge Information Technology Transformation 'Goes National,' Gains Funding for Initiative's First Year

MassDEP has committed to transforming its information technology systems as a key way to increase agency efficiency and help make up for staff losses and continually increasing workload.

MassDEP recently achieved a major milestone: DEP and the Executive Office of Energy and Environmental Affairs (EEA) received Patrick-Murray Administration approval of the first year of funding for the multi-year, multi-million-dollar project, and the initiative is now "going national" as the U.S. Environmental Protection Agency (EPA) and states across the country take a closer look at MassDEP's cutting-edge IT project.

Commissioner Ken Kimmell recently briefed U.S. EPA Administrator Lisa Jackson and her senior team in Washington, D.C. on the project. Commissioner Kimmell and his senior staff have also been meeting regularly with EPA to closely align this project with

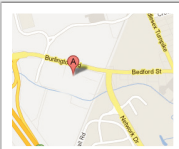
This issue



MassDEP's Cutting-Edge Information Technology Transformation 'Goes National,' Gains Funding for Initiative's First Year



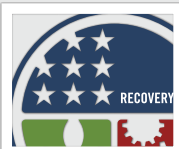
MassDEP Readies for Public Comment 16 Regulatory Reform Packages That Will Improve Agency Efficiencies



MassDEP Ensures Public Safety and Transparency During Closure, Decontamination of General Chemical Corp. Facility in Framingham



Massachusetts Energy Bill Gives Boost to MassDEP's Clean Energy Efforts

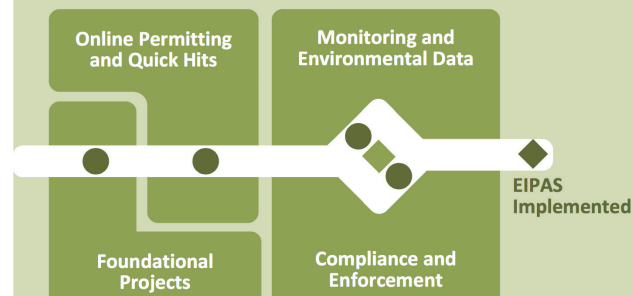


Federal ARRA Funds Help Protect the Environment, Create Economic Opportunity across the Commonwealth



MassDEP's News Briefs & Updates

EIPAS High Level Roadmap



The Environmental Information and Public Access System (EIPAS) project will bring dramatic and continuous improvement, as existing legacy systems are replaced by a tightly integrated online system. The system will include new integrated features and functions for the public, regulated entities, environmental professionals, Commonwealth partners, Federal oversight agencies, Department staff, and other stakeholders.



proposed information technology initiatives within the EPA, which is looking to leverage MassDEP's technology transformation and build upon these activities at a national level.

MassDEP also presented the technology transformation initiative at the Environmental Council of States' National Meeting in August. The National Meeting provided Commissioner Kimmell with the opportunity to discuss the project with commissioners from 40 states. MassDEP also offered a presentation with EPA on information technology upgrades, highlighting the close coordination between MassDEP's information technology project and EPA's rapidly developing IT vision. MassDEP expects that the agency will work closely with EPA in the future on information technology.

Commissioner Kimmell has stated that his goals for this initiative are "to have paperless, online permitting in place in three years, make it easy for citizens to get information online 24/7 about the environmental conditions in their neighborhoods, and greatly enhance our enforcement capabilities by taking advantage of new technologies, such as remote sensors."

Under the leadership of MassDEP's Victoria Phillips and EEA's Jon Geer and Tom Skinner, a Request for Information was issued this fall and a Request for Response will be issued in the winter of 2012-13 to hire a contractor for the IT transformation project by summer.

The foundation for the project lies in the strategic information technology transformation roadmap developed for

MassDEP and EEA by the company xFACT, a strategic information technology consulting firm out of North Andover. In February 2012, xFACT delivered documents that provide the foundation for information technology transformation, resulting in more effective utilization of information by MassDEP, the public and regulated entities. The Executive Summary is available here: http://www.mass.gov/dep/about/priorities/eipas_executive_summary_abstract_2012.pdf

While MassDEP will be the first EEA agency to employ the proposed new technology system, it is intended that other EEA agencies will utilize the upgraded technology and reap significant benefits in upcoming years.

The information technology transformation project benefits are numerous. Not only has MassDEP identified the increasing need for improvements to agency IT for years, but improvements in this area were recently flagged by external stakeholders and agency personnel as perhaps the best way to drastically improve agency efficiency within current reduced staffing levels. The overhaul will boost performance, but it is also intended to serve as a nation-leading example of how using high technology can bolster environmental protection.

MassDEP staff will also begin data standardization activities as a first step in the information technology transformation initiative. MassDEP will engage its stakeholders throughout the process as the agency communicates progress, gathers input and delivers services.



MassDEP Readies for Public Comment 16 Regulatory Reform Packages That Will Improve Agency Efficiencies

MassDEP continues to make major progress with the agency's Regulatory Reform Initiative, which when fully implemented will be the most sweeping array of streamlining improvements in MassDEP history. In all, 16 draft "Reg Reform" packages are in the final stages of review and will soon be out for public comment.

Since his first term, Governor Deval Patrick has challenged MassDEP and all state agencies to improve on performance. In 2007, MassDEP initiated a permit streamlining program that cut review timelines across the board and also simplified the process for some key permits generally associated with significant economic development opportunities. In doing so, MassDEP met the Governor's goal of "permitting at the speed of business."



Commissioner Ken Kimmell discusses MassDEP's Regulatory Reform with stakeholders.

Building on this success, in the spring of 2011, Commissioner Ken Kimmell kicked off MassDEP's Regulatory Reform Initiative with the goal of maintaining the agency's current

high standards of environmental protection with a drastically-reduced present level of staff (which dropped more than 30 percent since 2002). MassDEP's Regulatory Reform Initiative was also a mechanism for reviewing existing regulations to identify efficiency improvements as required of all state agencies under the Economic Development Reorganization Act of 2010. With help from external stakeholders, including all of MassDEP's standing advisory committees, the agency developed a wide range of regulatory reform ideas. After considering public comments on a draft plan last winter, MassDEP issued the final Regulatory Reform Action Plan in March 2012.

Over the spring and summer of 2012, agency personnel have worked closely with external stakeholders to flesh out the regulatory and policy details. Since late August 2012, all of the regulation changes needed to implement these reforms have been drafted – a total of 16 regulation packages.

The regulation changes cover a wide array of programs, and generally fall into one or more the following themes:

- Reducing MassDEP staff time for relatively low-value tasks;
- Avoiding redundant permitting of matters handled well at the local level;
- Using tried-and-true performance standards in lieu of individual permits;
- Incentivizing environmentally beneficial projects; and
- Lightening regulation by consolidating permit applications, harmonizing notice requirements, and other common sense approaches.

The proposed changes to regulations include the following programs: asbestos and air quality; water pollution discharges; Chapter



91 waterfront licensing, including license review procedures, review processes for new energy technologies, permitting for dredging projects, and licenses for small docks and piers; wetland streamlining for renewable energy projects, activities in the buffer zone, stormwater management structures, and ecological restoration projects; sewer extension and connection permits; solid waste streamlining of permits for transfer stations, landfill post-closure uses for solar energy, and improved compliance for landfill sites; streamlining for waste site closures and Activity and Use Limitations; review of alternative septic systems; and permit approvals for land application of sludge and septage.

The regulations also include major changes to hazardous waste cleanup programs, including allowing landowners to “close out” sites using highly effective ventilation systems to protect against indoor air exposure.

These proposed draft regulations are now in the final stages of review before going out for formal public comment. A progress update that contains more information on all of MassDEP’s regulatory reforms can be found here: <http://www.mass.gov/dep/about/priorities/regreform.htm>.

In addition, there are four reforms which are being implemented by policy alone (no regulation changes needed), and there were a handful of surgical statutory changes implemented via the “Infrastructure Investment, Enhanced Competitiveness, and Economic Growth Act” when it was signed into law by Governor Patrick in August 2012. The statutory changes were:

- **Wetlands Protection Act.** The 2012 amendments to the Wetlands Protection Act streamline regulatory requirements

for maintenance and repair of sewer lines; simplify abutter notification for long linear projects (like railway maintenance) and certain water-bound or water-abutting projects (such as aquaculture operations); and create a quick process for promulgating the emergency regulations needed for road clearing and debris removal after storm events.

- **Clean Water Act.** The 2012 changes to the Clean Water Act remove the public notice requirement for permit renewals for a variety of wastewater permit categories in cases where there has been no substantive change to the regulated activity prior to the permit expiration or renewal date.

Anyone can sign up to receive notice of MassDEP’s draft regulations out for public comment at: <http://www.mass.gov/dep/public/reglist.htm>.

MassDEP Ensures Public Safety and Transparency During Closure, Decontamination of General Chemical Corp. Facility in Framingham

General Chemical Corporation (GCC) of Framingham recently completed the closure and decontamination of its industrial facility located at 133 Leland Street. This two-acre site has operated as GCC’s hazardous waste transfer station since the company’s inception in 1960, but GCC decided last spring to shutter the facility.

The GCC site, consisting of three buildings and 20 above-ground storage tanks and associated piping, was systematically and



methodically closed over the summer in a well-designed and -executed closure plan that was reviewed, modified and overseen by MassDEP. Careful oversight was important because the facility abuts an elementary school and a residential neighborhood.



A storage tank being demolished after cleaning at the GCC facility.

MassDEP closely monitored and reported the findings on this activity daily on its web site in order to provide the public greater transparency and a consistent stream of data, keeping local officials and the neighborhood well-informed throughout the process. Check out the link here: <http://www.mass.gov/dep/about/region/gcc.htm>

GCC's final report is due in November, and it will be made public, but preliminary results from state oversight show a safe and successful closure was carried out, with no negative impacts on the public health.

The process began after GCC announced on March 1, 2012 its intentions to close its Leland Street operation. MassDEP quickly responded that GCC would first need to submit plans - specifically a pilot test - of the company's scrubbing, dismantling process for review before any full-scale operation would begin.

That pilot test, which was reviewed and approved with slight revisions, would be

overseen by the watchful presence of MassDEP's Field Assessment and Support Team (FAST) mobile laboratory and its staffers.

The FAST vehicle was deployed to the scene because it has the capabilities and, in fact, has been specifically designed to provide on-scene sampling and analysis of air, water, soil, sediment, and soil gas by gas chromatography, achieving "parts per billion" detection limits. Ambient air monitoring used a variety of instruments and meters, at specific areas of concern, or the monitors were moved on the site if the situation and conditions changed.

Air monitoring and testing was conducted on June 26 during this pilot cleanup at the closed facility, and a test indicated that cleaning methods produced only low levels of air pollution that were below levels of concern for people's health.

Only then did MassDEP approve the full closure process on July 24.

An extensive, multi-lingual outreach was carried out before the pilot test and before the final closure work. During this outreach, residents were notified through the assistance of local official channels, local radio and media, the Internet, and reverse 911 calls. Framingham Health Board members, fire, police and school department officials were kept updated with notifications, as well as updates to MassDEP's web site, where on-site inspectors posted reports by the next day.

The final closure began on July 30, and included the power washing and removal of tanks and cleaning (washing and/or scarification) of storage building floors, secondary containment structures and the loading/unloading areas of the facility.



There is ongoing non-invasive miscellaneous wrap-up work continuing, which will include the collection of debris (concrete pieces, piping, sweepings, etc.), the removal of these materials from the site, and the testing of surfaces as necessary. There will also be continuing activity at the site related to the storage and removal of supplies and the fueling of vehicles.

MassDEP will continue to conduct “drop-in” inspections while the miscellaneous housekeeping work continues.

The next step in MassDEP’s closure process is the requirement that GCC submit documentation of all the decontamination and closure activities performed to the Department within 60 days of completing closure work. This documentation must include sampling results and a certification by a Massachusetts registered professional engineer that the work was performed in compliance with the closure plan (and supplements), MassDEP’s authorization, and the hazardous waste regulations.

While GCC still faces years of remedial cleanup of groundwater on and near the site, the closing of an aging facility, which in recent years struggled to achieve consistent compliance with current hazardous waste practices, is largely a positive step for environmental protection.

The groundwater contamination from solvents and chemicals is mostly the result of decades of past practices, going back to 1920, a time when environmental laws and regulations covering hazardous materials’ handling and disposal were not as strict, or simply did not exist. MassDEP will continue to keep the public informed as this final part of the facility closure process proceeds.

Massachusetts Energy Bill Gives Boost to MassDEP’s Clean Energy Efforts

In a recent Clean Energy speech, Governor Deval Patrick vowed to make Massachusetts No. 1 in biogas production. This goal got a major boost when Governor Patrick joined legislators and advocates to sign “An Act Relative to Competitively Priced Electricity in the Commonwealth.” Several provisions in this bill will directly strengthen MassDEP’s work to tap the hidden energy value of food waste, an initiative MassDEP is pursuing with the Department of Energy Resources (DOER) through the Clean Energy Results Program (CERP).

Another major component of this legislation is raising the total “net metering” cap from 3 to 6 percent of the utilities’ peak load. Net metering allows owners of solar, wind, and other clean energy facilities to run their electric meters backwards and use energy produced “behind the meter” (i.e. on-site). Net-metering also allows owners to sell excess power generated by a facility back to the grid, providing an important monetary incentive for the installation of renewable energy. The current statewide cap for net-metering of 3 percent is close to being reached.

Recognizing the many benefits of anaerobic digestion (AD), the legislation added AD as an eligible technology allowed to net meter (along with agricultural facilities, wind and solar). Anaerobic digestion is a technology that converts organic material - such as food waste and bio-solids from wastewater treatment - into a methane-rich biogas that can be used for heat and electricity. MassDEP



has been working over the past year to put a number of measures in place to ensure the streamlined, responsible siting of anaerobic digestion facilities.

Complimenting the legislation, MassDEP has several AD initiatives underway, including:

- Regulations that will streamline project siting;
- An innovative partnership with the state Division of Capital Asset Management that has identified several state properties that may be good candidates for hosting anaerobic digestion operations (using food from on-site to create heat and electricity for state buildings);
- Plans to augment existing funding programs to provide additional incentives for project siting; and
- Work towards implementing an organics ban in 2014 that will ensure the organic material needed to support future anaerobic digesters sited in Massachusetts.

Other components of the Act that will intersect with MassDEP's clean energy work include:

- Mandating that electricity distribution companies continue soliciting proposals for long-term contracts from renewable energy generating facilities. The deadline was extended from December 31, 2012 to December 31, 2016 and requires distribution companies to jointly solicit proposals. The contracts will be for 10 to 20 years, and have to satisfy an additional 4 percent of the utilities' peak load. Ten percent of these contracts will be reserved for newly developed small, emerging or diverse energy generation facilities (DOER has to determine which technologies will qualify exactly). Long-term contracts are

a key instrument to secure financing for renewable energy projects at lower costs to ratepayers, as they provide long-term certainty.

- Establishing a power plant revitalization task force to implement a plan and recommend legislative action to ensure the full deconstruction, remediation and redevelopment or repowering of the Salem Harbor Power Station and other retiring coal-fired plants.
- Calling for DOER to study the reactivation of pre-existing hydroelectric power sites. The Executive Office of Energy and Environmental Affairs will review necessary permitting and approvals to determine whether and how the reactivation process can be expedited and streamlined.

These changes will have a positive impact on advancing MassDEP's work with DOER and the Massachusetts Clean Energy Center to promote clean energy and energy efficiency across the Commonwealth.



Governor Deval Patrick joined Energy and Environmental Affairs Secretary Rick Sullivan (left), legislators and advocates to sign S. 2395, "An Act Relative to Competitively Priced Electricity in the Commonwealth." The law aims to protect Massachusetts ratepayers while providing greater reliability and energy independence for all residents of the Commonwealth.



Federal ARRA Funds Help Protect the Environment, Create Economic Opportunity across the Commonwealth

Between 2009 and 2012, the Massachusetts Department of Environmental Protection (MassDEP) leveraged nearly \$192 million of federal American Recovery and Reinvestment Act (ARRA) funds to create or retain thousands of jobs and achieve lasting environmental improvements across the Commonwealth. Through the diligent and focused targeting of ARRA monies, MassDEP funded projects that reduced emissions from diesel engines, upgraded infrastructure at drinking water and wastewater treatment facilities and made them more energy efficient, and cleaned up leaking underground storage tanks.

Municipalities, as well as state, regional and private entities, received MassDEP ARRA funding and the benefits were realized statewide. ARRA successes include the following:

- ARRA funds provided low-interest loans for 60 municipal wastewater system upgrades and 50 drinking water infrastructure projects.
- Emissions from some of the state's largest diesel pollution sources - such as diesel locomotives, marine engines and medium- and heavy-duty vehicles - were reduced by 341 tons annually.
- Two hundred and sixty one state-owned diesel vehicles were retrofitted, reducing particulate emissions by 3.89 tons per year.
- The Leaking Underground Storage Tank Program funded the cleanup of 14 sites,

three of which were municipally-owned, and resulted in the removal of 6,586 tons of petroleum-contaminated soil that was sent for recycling.

Approximately \$185 million in ARRA funds were made available to Massachusetts to upgrade drinking water and wastewater treatment facilities and to implement new clean energy technologies at these plants. More than \$1.7 million in ARRA funds was used to reduce particulate pollution from diesel vehicles. More than \$3.1 million of ARRA funds was used to address leaking underground storage tanks. And more than \$1.3 million of ARRA funds was used to assess pollutants in water bodies across the Commonwealth and plan for their remediation.



ARRA project example: The Westborough Wastewater Treatment Plant (WWTP) discharges its effluent to the Assabet River under an NPDES Permit. Westborough is a member of the Assabet River Consortium. The Assabet River is distressed due to severe eutrophication as a result of excessive nutrients such as Phosphorus and Nitrogen. The new 2005 discharge permit EPA issued to the Town imposes stringent Phosphorus and Copper limits. This project will implement a construction upgrade of the WWTP that will enable it to achieve compliance with the permit.

The environmental benefits obtained from the ARRA funding are long-lasting and resulted in cleaner air, water and soil for residents of Massachusetts. The economic



benefits from the ARRA funding resulted in increased employment in environmental and construction fields by retaining or creating more than 1,630 jobs, local funds saved with the use of clean energy technologies, and contaminated sites readied for redevelopment.

For more information on these ARRA success stories, go to: http://www.mass.gov/dep/recovery/arra_summary.pdf

News Briefs & Updates

\$366 Million Settlement to Expedite PCB Cleanup of New Bedford Harbor Superfund Site

MassDEP joined state and federal agencies to announce a landmark settlement that will result in the expedited cleanup of PCBs in the New Bedford Harbor Superfund site. The record \$366 million agreement with AVX Corp. was announced by MassDEP, the Attorney General's Office, the U.S. EPA and the U.S. Department of Justice.

This settlement is the largest "cash-out" agreement ever achieved by the federal Superfund program, and it will allow the harbor cleanup to be completed within seven years, instead of the estimated 40 years under the current funding structure. The current plan utilizes \$15 million from the Superfund and \$1.5 million from state resources to dredge the PCB-contaminated sediment from the harbor floor.

New Bedford Harbor and the nearby Acushnet River were contaminated by PCBs discharged to those water bodies over

many decades of the operations by AVX's predecessor company, Aerovox, which manufactured electrical capacitors. The PCBs have contaminated fish and shellfish in the harbor, and there is a ban on eating those species caught in local waters.

The settlement has been filed in federal court and a 30-day comment period is underway. When the comment period ends, a federal judge will rule on the agreement and we expect will make it final. For more details on the issue and the settlement, go to: <http://tinyurl.com/cfltugq>.



A landmark settlement will result in the expedited cleanup of PCBs in the New Bedford Harbor Superfund site.

\$1.4 Million in Grants to Fund Projects Targeting Nonpoint Source Pollution

Utilizing funds from the Obama Administration and the U.S. Environmental Protection Agency, MassDEP recently announced that more than \$1.4 million in grants have been targeted for seven projects that will address polluted stormwater runoff into the state's lakes, rivers and coastal waterways.



The grants focus on the implementation of measures to control nonpoint source (NPS) pollution, which is caused by rainfall or snowmelt that moves over or through the ground, picking up natural and human-made pollutants and depositing them in local water bodies. Types of NPS pollution include nutrients from lawn and garden fertilizers and agricultural operations, bacteria from pet waste and waterfowl, oil and grease from parking lots and roadways, and sediment from construction activities and soil erosion.



Nonpoint source pollution includes nutrients from lawn and garden fertilizers. Image provided by the Washington State Department of Ecology Water Quality Consortium.

The grants were awarded to the Barnstable County Department of Health and Environment; Geosyntec Consultants; the Franklin Regional Council of Governments for one project connected to the South River and a second project involving the Western Millers River Watershed; the Town of Provincetown to address their harbor stormwater system; the Manchaug Pond Foundation for pond improvement; and the Charles River Watershed Association to address stormwater pollution with a "porous pavement" project.

The grants will help to implement or demonstrate best management practices to mitigate the effects of polluted stormwater runoff, and will help develop and distribute

information that is needed to support local outreach and education efforts to address the impacts of polluted stormwater. For more information on these grants, go to: <http://www.mass.gov/dep/public/press/1012nine.htm>.

MassDEP Establishes Regulations to Reduce Greenhouse Gas Emissions for Climate Protection

In August 2008, Governor Deval Patrick signed into law the Global Warming Solutions Act (GWSA), making Massachusetts one of the first states in the nation to move forward with a comprehensive regulatory program to address climate change. The GWSA requires the Executive Office of Energy and Environmental Affairs (EOEEA), in consultation with other state agencies and the public, to set economy-wide greenhouse gas (GHG) emission reduction goals for Massachusetts that will achieve reductions of:

- Between 10 and 25 percent below statewide 1990 GHG emission levels by 2020; and
- 80 percent below statewide 1990 GHG emission levels by 2050.

MassDEP is playing a lead role in advancing the goals of the GWSA. The agency has been making some significant progress implementing key elements of the GWSA through recent promulgation of low-sulfur fuel regulations, and by moving toward promulgation of regulations on low-emission vehicles and also on greenhouse gas permitting for stationary sources.



Regulations Requiring Cleaner Fuels for Home Heating & Power Plants - On August 3, 2012, MassDEP finalized amendments to its air pollution regulations that lower the allowable sulfur content of distillate oil (home heating oil) and residual oil (used in power plants and industrial and commercial boilers). The regulation is part of a regional strategy by northeast and mid-Atlantic states to lower emissions of sulfur dioxide (SO₂). These changes are also needed to meet federal Clean Air Act requirements to reduce regional haze in federally-targeted areas, including national parks and wilderness areas. In addition, the use of lower-sulfur heating oil increases the efficiency of heating equipment, thereby also reducing emissions of carbon dioxide - a primary greenhouse gas.

New Clean Car Standards - MassDEP is also nearly ready to promulgate amended regulations for the state's Low Emissions Vehicle (LEV) Program. These regulations adopt the California "Advanced Clean Cars Program," which includes three parts: 1) More stringent tailpipe and evaporative motor vehicle emission standards for model-year 2015-2020 vehicles; 2) More stringent greenhouse gas emission standards for model-year 2017-2025 vehicles; and 3) Requirements for increasing the numbers of "advanced technology vehicles" (e.g. electric vehicles) in Massachusetts starting in model-year 2016. MassDEP's LEV program is part of the plan to attain and maintain federal air quality standards under the Clean Air Act, and also a key element of achieving the goals of the Global Warming Solutions Act.

Expanded Greenhouse Gas Permitting - An historic 2007 U.S. Supreme Court decision (MA vs. EPA) resulted in GHGs being legally considered to be an "air pollutant" under

federal rules for the first time. Later this year, MassDEP will publish state regulations that incorporate federal GHG thresholds into the state Title V Operating Permit Program (air permits covering the largest facilities) to regulate GHGs as air pollution. Once in place, commercial and industrial facilities that already have Operating Permits (about 150 facilities statewide) must include GHG emissions in their next permit renewal application if they trigger the thresholds for GHG emissions. Facilities that exceed the thresholds and that do not already have an Operating Permit will be required to apply for a permit within one year. The agency expects that as a result of this new regulation a handful of additional facilities will need an Operating Permit solely due to GHG emissions.



The Nissan Leaf as displayed at the Museum of Science Boston at an event announcing a partnership between the State of Massachusetts and Nissan North America Inc. to explore the expansion of the use of electric cars.

As these important regulations become final, MassDEP, along with other EOEEA agencies and other state agencies, will continue to advance other activities to implement the Massachusetts Global Warming Solutions Act. Watch future issues of this newsletter for announcements about additional milestones.



Governor Signs Bill to Limit Phosphorus in Fertilizers

A bill signed into law recently by Governor Patrick will help to reduce the amount of phosphorus in fertilizers, and ultimately result in healthier rivers, ponds and coastal embayments. The new law requires the Department of Agricultural Resources, with MassDEP's assistance, to promulgate regulations by Jan. 1, 2014 that will limit the amount of nutrient pollution, mainly phosphorus from fertilizers.

The problem occurs when fertilizers are placed on lawns and other parcels. When it rains or when the snow melts, the runoff picks up pollutants as it travels across the land. Eventually, this stormwater runoff is carried into the nearest body of water. There, nutrients help to produce algae, contributing to problematic algae blooms and the declining health of lakes, rivers and bays.

The U.S. EPA has ordered municipalities, treatment plants, businesses and other wastewater producers to cut the amount of phosphorus being discharged in stormwater. The EPA is expected to issue more stringent permits that will require communities to cut their phosphorus discharges by up to 55 percent. This could result in cities and towns being required to build stormwater treatment facilities that could cost millions of dollars. The reduction of phosphorus in fertilizers sold in Massachusetts will help to address the problem, reducing the pollution in runoff waters, and lessening the need for expensive treatment works.

MassDEP Delivers Oil Spill Emergency Response Trailers to Protect Boston Harbor

MassDEP and Commissioner Ken Kimmell recently delivered six emergency spill response equipment trailers to the City of Boston, saying that these trailers could be deployed immediately to protect Boston Harbor and the city's waterfront in the event of a spill of oil or other hazardous material. The trailers contain state-of-the-art equipment, such as containment and absorbent booms, and they will be located in Charlestown, East Boston, South Boston and Brighton until needed.

Since 2005, MassDEP has delivered 82 response trailers to 69 Massachusetts coastal communities. The trailers cost \$32,000 each to purchase, stock, outfit and deliver. The funds used to deliver the trailers come from a provision in the Oil Spill Prevention and Response Act of 2004, which was passed as a result of the massive Buzzards Bay oil spill in April 2003.

Moving forward, this MassDEP program will continue to re-stock the trailers with new equipment should the original items be needed in a spill. The agency will also continue to assist coastal communities with spill-response training and planning exercises that identify sensitive resources that would be a priority protection area should a spill occur. For more information on this program and the Boston presentation, go to: <http://www.mass.gov/dep/public/press/0912chsp.htm>



***SPILL PREPARATION:** Orange boom materials are part of the oil spill emergency response trailer equipment delivered by MassDEP to the City of Boston during an event along the Charlestown waterfront. Shown on the pier with the Boston Fire Boat in the background are (l-r): Boston Emergency Management Coordinator Rene Fielding, Boston Environmental and Energy Services Chief Brian Swett, Boston Fire Commissioner Roderick Fraser, MassDEP Commissioner Kenneth Kimmell, U.S. Coast Guard Capt. John O'Connor III, Sean Getchell from Rep. Eugene O'Flaherty's office and Matt Laidlaw from Sen. Sal DiDomenico's office.*

MassDEP and MassCEC to Conduct Study on Wind Turbine Acoustics

The Massachusetts Clean Energy Center (MassCEC) and MassDEP have recently concluded a solicitation for proposals from qualified acoustic consultants to assist in conducting a research study on wind turbine acoustics.

MassCEC and MassDEP are undertaking this research study to measure the level and quality of sound emissions from a variety of operating wind turbine projects in Massachusetts. The purpose of the study is to gather more data and information about

the levels and characteristics of turbine sound under real-world conditions, to educate the public and help inform the wind turbine siting and approvals process. It is intended to inform state agencies, local decision-makers, project developers, researchers and the public. The knowledge gained from this study will help to address questions related to the sound impacts from wind turbines and potentially assist in the development of siting standards and municipal wind energy bylaws.

MassCEC will direct the study, while MassDEP will provide technical input on the scope of work and the Request for Proposals (RFP) and review the study results.

Some of the goals of this study follow recommendations by the Independent Expert Science Panel (<http://www.mass.gov/dep/energy/wind/panelmembers.htm>) formed by MassDEP and the Massachusetts Department of Public Health as part of its report "Wind Turbine Health Impact Assessment, January 2012" (http://www.mass.gov/dep/energy/wind/turbine_impact_study.pdf). It will be conducted over a one-year period from the time the work is initiated and upon completion will be available to the public.

For more information about this research study, a copy of the RFP and an FAQ, please visit the MassCEC web site at: <http://masscec.com/index.cfm/cd/NAA/cdid/13966/pid/11161>. For more information about all of MassDEP's clean energy initiatives, please visit the Clean Energy Results Program website at: <http://www.mass.gov/dep/cleanenergy.htm>.

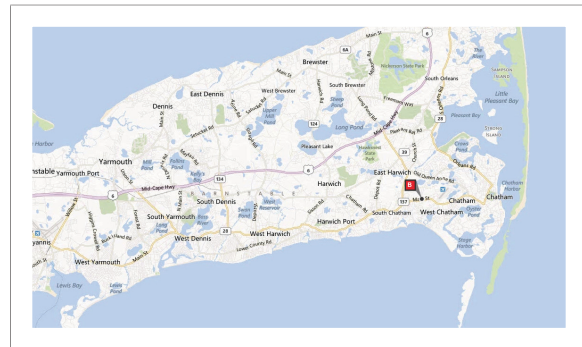


Chatham is First to Qualify for Zero Percent Loan to Reduce Nutrients in Wastewater

The Town of Chatham was recently the first municipality to qualify for a zero percent loan to help finance the town's \$14.5 million first-phase of sewer work. The Clean Water State Revolving Fund (SRF) interest-free loan of approximately \$13 million will save Chatham nearly \$2.9 million in interest payments over 20 years.

This SRF loan was awarded under the "O'Leary Provision" passed by the legislature in 2008. The law reduces the standard SRF loan interest rate of 2 percent down to zero percent, provided that the proponent meets certain criteria, such as the abatement of nutrient-rich wastewater discharges to the environment. Nitrogen pollution in wastewater kills fish species and aquatic habitat and causes algal blooms that degrade coastal resources.

Chatham used data and analysis from the Massachusetts Estuaries Project to draft a comprehensive wastewater management plan that included upgrades to its wastewater treatment plant, pump stations and sewer systems. This SRF funding will allow the community to implement upgrades that will significantly reduce nutrient pollution discharged to local water bodies. For more details on this effort, go to: <http://www.mass.gov/dep/public/press/0912csrf.htm>.



Chatham has qualified for a zero percent loan to help finance the town's \$14.5 million first-phase of sewer work.

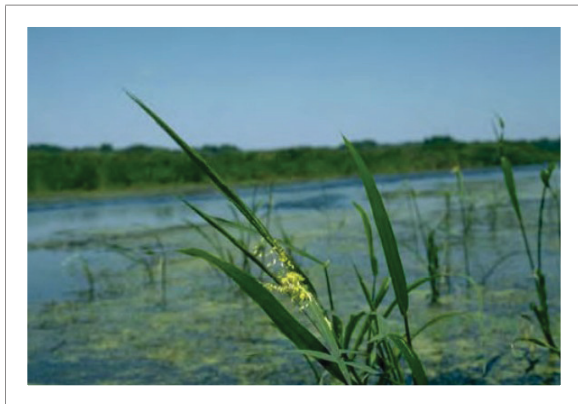
\$3.7 Million Nyanza Natural Resource Damages Settlement Funds 11 Restoration Projects

Eleven projects benefitting the wildlife, people and landscape of the Sudbury River Watershed will be funded by the \$3.7 million settlement reached in 1998 by parties for natural resources harmed by mercury and other pollutants from the Nyanza Chemical Superfund site in Ashland.

The funds are allocated as part of the final restoration plan and environmental assessment for the Sudbury River Watershed. The projects will restore migratory and coldwater fish habitat, protect land to conserve wildlife habitat, create public access to the river in Ashland and Sudbury, create a nature preserve in Framingham and Ashland, and control invasive aquatic weeds to improve recreation and wildlife habitats and diversity.



The Nyanza Natural Resource Damages Trustee Council - comprised of the Massachusetts Executive Office of Energy and Environmental Affairs, represented by MassDEP; the U.S. Fish and Wildlife Service; and the National Oceanic and Atmospheric Administration - worked with local officials and citizens, environmental groups and other agencies to identify restoration project ideas. For more details on this settlement, go to: <http://www.mass.gov/dep/public/press/0912nyza.htm>.



A portion of the Sudbury River. Photo provided by the U.S. Department of the Interior.

MassDEP'S FAST Mobile Lab Makes a Difference at Emergencies in Woburn, Boston

MassDEP's emergency response units are always ready - 24/7 and 365 days a year - when an environmental or public health emergency hits without notice. The highly trained engineers and scientists at MassDEP join the local fire and police departments, the Fire Marshal's Office and the HazMat Teams, the State Police, and the U.S. EPA as critical members of the response team. And MassDEP brings a very important asset - the Field Assessment and Support Team (FAST)

mobile laboratory. The FAST vehicle played a key role in two emergency response events earlier this year in Woburn and the South End of Boston.

In Woburn, a tractor trailer overturned and spilled 7,500 gallons of gasoline. The gasoline impacted the nearby Aberjona River and explosive vapors seeped into a hotel and gym along the river. The FAST vehicle set up monitors to track the vapors and eventually helped to pinpoint them and get them removed. In the South End, a steam pipe explosion caused dangerous asbestos fibers to coat the street, cars and buildings in the area. Tests and analysis in the FAST lab helped to define the contaminated area and get it cleaned up quickly.

As these cases illustrate, emergency response, on-site environmental analysis and timely remediation are key facets of MassDEP's service to the Commonwealth. MassDEP Commissioner Ken Kimmell published an opinion column in publications in Woburn and the South End focusing on the FAST vehicle response to these incidents, and that column can be seen here: http://www.mass.gov/dep/about/fast_wob_bos.htm.



MassDEP's Field Assessment and Support Team (FAST) mobile laboratory.



Printed November 15, 2012

Kenneth Kimmell, Commissioner
Massachusetts Department of Environmental Protection
One Winter Street, Boston, MA 02108
On the Web: www.mass.gov/dep/
On Twitter: www.twitter.com/massdep
Free e-Newsletter: www.mass.gov/dep/public/publications/enews.htm